



Indiana State Facts

Criminal Provisions Addressing Demand

1. Indiana Attorney General Gregory Zoeller was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.¹
2. There is a gap in the laws available to prosecute demand—Indiana's state sex trafficking law may only apply to buyers if the buyer knew force was used against the minor to cause prostitution and commercial sexual exploitation of children (CSEC) laws do not expressly make buying sex with a minor a distinct crime.

Criminal Provisions for Traffickers

3. In January 2011, Chris Smiley was the first conviction under Indiana's human trafficking law since its enactment in 2007. Smiley was found guilty of human trafficking, promoting prostitution, battery, intimidation and strangulation of a 19-year-old victim and was sentenced to 10 years in prison.²
4. Human trafficking is a Class C felony punishable by 2–8 years imprisonment and a possible fine of up to \$10,000. Human traffickers are subject to asset forfeiture and a trafficker may be ordered to pay restitution.

Criminal Provisions for Facilitators

5. The state sex trafficking law omits the crime of assisting, enabling, or financially benefitting from sex trafficking, leaving facilitators of sex trafficking undeterred from benefitting from involvement in trafficking crimes.

¹ <http://www.tn.gov/attorneygeneral/cases/backpage/backpageletter.pdf>

² <http://www.theindychannel.com/news/26808549/detail.html>

<http://www.theindianalawyer.com/marion-county-has-first-human-trafficking-conviction/PARAMS/article/25638>

Criminal Justice Tools for investigation and Prosecution

6. Indiana Attorney General Greg Zoeller and the Super Bowl Host Committee are preparing law enforcement and other first responders to identify and respond to an anticipated increase in trafficking during the 2012 Super Bowl that will be hosted in Indianapolis.³
7. The Human Trafficking and Child Solicitation Study mandated by House Bill 1083 signed into law by the Governor May 10, 2011 established a committee to consider whether Indiana's criminal penalty for child solicitation should be revised, or if a new criminal offense of child trafficking should be added to the Indiana code in response to law enforcement agencies' worries about the growing problem of domestic minor sex trafficking.⁴

³ <http://www.fox59.com/news/wxin-super-bowl-crime-indiana-attn-general-says-prostitution-human-trafficking-bigger-threat-during-super-bowl-20110930,0,2092712.column>.

⁴ <http://www.in.gov/attorneygeneral/2472.htm>.